



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
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Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Governor's Office of Planning & Research

June 21, 2021

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STATE CLEARINGHOUSE

Brandon Smith, Senior Planner
City of Visalia
315 E. Acequia Avenue
Visalia, California 93291
(559) 713-4636
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**Subject: Carleton Acres Specific Plan (Project)
Notice of Preparation (NOP)
SCH No.: 2021050418**

Dear Mr. Smith:

The California Department of Fish and Wildlife (CDFW) received a NOP from the City of Visalia for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

PROJECT DESCRIPTION SUMMARY

Proponent: West Star Construction

Objective: The Project Applicant is proposing a Specific Plan to develop approximately 507-acres of land into a mixed-use development. The Project will feature a variety of uses including single-family residential, multi-family housing, commercial, educational, and parks/trails facilities. The proposal features several different types of housing for a total of up to 3,368 residential units at buildout which is broken down as follows: Low Density Residential – maximum of 1,698 units; Medium Density Residential – maximum of 758 units; and High Density Residential – maximum of 912 units. The proposed Project also includes up to 14.7 acres of commercial development in two locations within the Project (for a total of approximately 100,000 square feet of gross leasable commercial area). The first commercial area consists of up to 6.4 acres of Neighborhood Commercial at the intersection of Riggan Avenue and Shirk Road. Anticipated uses at this location may include development such as a gas station, drug store, retail, restaurants (including drive-throughs), and similar uses. The second consists of up to 8.3 acres of Commercial Mixed-Use at the center of the development. Anticipated uses at this location may include development such as retail, services and restaurants. The commercial facilities are located to provide efficient accessibility to residents of the Project and the surrounding areas. Other proposed uses include a site for a potential future elementary school, land for a drainage basin, and approximately 15.2 acres of parks/trails/recreational facilities. Various other infrastructure improvements (water, stormwater and wastewater infrastructure, roadway improvements, and related improvements) will be required by the Project. The Project is proposed to be built out in phases with approximately 1,346 residential units and 6.4 acres of commercial in Phase 1 and approximately 2,022 residential units and 8.3 acres of commercial in Phase 2.

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Location: The proposed Project is located on approximately 507-acres in the northern area of the City of Visalia, California and is generally bound by W. Riggin Avenue to the south, N. Akers Street to the east, N. Shirk Road to the west and Avenue 320 (W. Kibler Avenue) to the north. The site is comprised of two parcels: APN 077- 100-088 and APN 077-100-105. APN 077-100-088 consists of approximately 478 acres and is within an unincorporated area of Tulare County while APN 077-100-105 consists of approximately 29.3 acres and is within the city limits of Visalia.

Timeframe: N/A

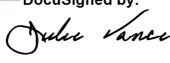
COMMENTS AND RECOMMENDATIONS

The NOP indicates that the Environmental Impact Report (EIR) for the Project will describe existing environmental conditions in the Project area, and analyze potential impacts resulting from Project activities. The EIR will also identify and evaluate alternatives to the proposed project.

When an EIR is prepared, the specifics of mitigation measures may be deferred, provided the lead agency commits to mitigation and establishes performance standards for implementation. Several special-status plant and animal species that have been documented in Project area per the California Natural Diversity Database (CNDDDB), including but not limited to, the State threatened Swainson's hawk (*Buteo swainsoni*), and tricolored blackbird (*Agelaius tricolor*), and the State species of special concern burrowing owl (*Athene cunicularia*). Based upon available aerial photography, the Project site may contain suitable habitat for these species. CDFW recommends the EIR prepared for the Project analyze potential impacts to these species provide measurable mitigation measures that, as needed, will reduce impacts to less than significant levels. More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>).

CDFW is available to meet with you ahead of DEIR preparation to discuss potential impacts and possible mitigation measures for some or all of the resources that may be analyzed in the EIR. If you have any questions, please contact Jaime Marquez, Environmental Scientist, at the address provided on this letterhead or by electronic mail at Jaime.Marquez@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Julie A. Vance
Regional Manager

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LITERATURE CITED

CDFW. 2021. Biogeographic Information and Observation System (BIOS).
<https://www.wildlife.ca.gov/Data/BIOS>. Accessed June 17, 2021.